



Attorney Docket No. 82985

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: FLETCHER A. BLACKMON ET AL.
Serial No. 10/666,829
Filed: 18 September 2003
Customer No. 23523
For: ITERATIVE DECISION FEEDBACK ADAPTIVE EQUALIZER

PETITION UNDER 37 CFR § 1.47(a) IN RESPONSE TO NOTICE TO FILE
MISSING PARTS OF NONPROVISIONAL APPLICATION

Mail Stop Petition
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sirs:

It is respectfully requested that the Director allow the prosecution of the above-identified patent application to proceed without the signature of the joint inventor, Mohamadreza M. Hagh. Under the provisions of 37 CFR § 1.47(a), the Applicant considers the petition grantable in that the joint inventor, Mr. Hagh, refuses to sign a declaration required by a Notice To File Missing Parts for the above-identified nonprovisional patent application, enclosure (a).

Under 37 CFR § 1.47(a), Mr. Hagh, as a joint inventor, refuses to join in the above-identified application in that he is prohibited under 37 CFR 1.63 to sign a declaration without the

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02 FC:1460 130.00 DA
03 FC:1251 110.00 DA

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on 3-8-04

(DATE OF DEPOSIT)


APPLICANT'S ATTORNEY

3-8-04
DATE OF SIGNATURE

availability of a specification and claims. The specification and claims of the application are unavailable to Mr. Hagh due to the fact that he is presently residing in the country of Iran and therefore the documents are statutorily prevented from being sent to Mr. Hagh. This statutory prevention is based on discussions with the U.S Navy Office of General Counsel, the U.S. Department of State, the U.S. Department of Commerce, and concurrence with those government activities that 37 CFR Part 560 (Iranian Transactions Regulations) and Executive Orders referenced therein prohibit the export of technical data (including the above-identified U.S. patent application) to the country of Iran.

In furtherance of complying with the provisions of 37 CFR § 1.47, a statement by the joint inventor, Mr. Fletcher A. Blackmon, is enclosed. Enclosure (b) details the absence of Mr. Mohamadreza M. Hagh at the time of filing of the above-identified patent application based on his presence in Iran and the continuance of his presence in Iran. Reflecting the statement of enclosure (b), there is a reasonable expectation that Mr. Hagh will return to the United States. Upon Mr. Hagh's return and subject to the Export Administration Regulations promulgated by the U.S. Department of Commerce, Mr. Hagh will be allowed to join the application by filing a declaration complying with 37 CFR § 1.63.

In regard to the requirement for the last known address of Mr. Mohamadreza M. Hagh, the address has been provided to this office as 20-22 Maple Street, Belmont, MA 02478 (USA).

Referencing the enclosures noted above, the petition is accompanied by:

- (a) A copy of the Notice To File Missing Parts of Nonprovisional Application, sent by the Patent Office on December 12, 2003.
- (b) A statement from Mr. Fletcher A. Blackmon indicating the absence of Mr. Hagh at the time of filing of the above-identified application based on his presence in Iran and the continuance of his presence in Iran.

In adherence to the fee set forth in 37 CFR § 1.17(h) for this petition, the late declaration surcharge for response to the Notice To File Missing Parts of Nonprovisional Application and the fee set forth in 37 CFR § 1.17(a) for extension for response within first month for the Notice to File Missing Parts of Nonprovisional Application to March 12, 2004; it is requested that the amount owed of \$ 370.00 be charged to Deposit Account No. 14-0590. It is further requested that any deficiencies be charged or any credits be added to Deposit Account No. 14-0590.

The Director or his representative is invited to phone Michael P. Stanley, attorney for the Applicant, at 401-832-6393 for any additional information or comment in this matter.

Respectfully submitted,
FLETCHER A. BLACKMON ET AL

9 March 2004
(Date)

By James M. Kasischke
JAMES M. KASISCHKE
Attorney of Record
Reg. No. 36562



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Serial No. 10/666,829
Filed: 18 September 2003
For: **ITERATIVE DECISION FEEDBACK ADAPTIVE EQUALIZER**

STATEMENT BY JOINT INVENTOR IN SUPPORT OF PETITION

UNDER 37 CFR § 1.47(a)

Mail Stop Petition
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sirs:

I, Fletcher A. Blackmon, as a joint inventor of the above-identified patent application aver to the following facts:

On the date of filing for the above-identified application, Mr. Mohamadreza M. Hagh was not present in the United States of America and instead was present in the country of Iran. At that time, I indicated to the administrator (Annette Campbell) at the Office of Counsel at the Naval Undersea Warfare Center in Newport, RI that Mr. Hagh would be available in the near future for reviewing and likely signing the above-identified patent application. However, due to immigration problems, Mr. Hagh has not returned to the United States and remains in Iran. There exists a reasonable expectation that Mr. Hagh will return to the United States.

The above facts are based on a continuing electronic mail

dialogue with Mr. Hagh. In this dialogue, I have only indicated the need for Mr. Hagh's participation in the patent application process and continuing inquiries as to the status of his return.

I hereby declare that all statements made herein of my own knowledge are true and that all statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


FLETCHER A. BLACKMON

3/5/04
Date